

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

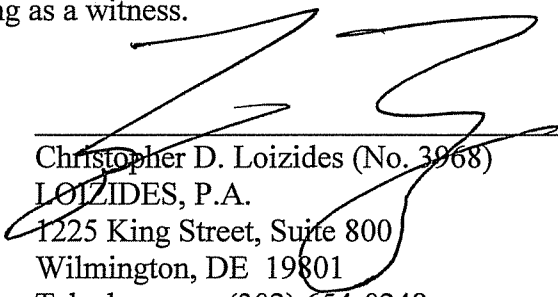
In re:	)	CHAPTER 11
	)	(Jointly Administered)
W.R. GRACE & CO., <i>et al.</i> ,	)	
	)	Case No. 01-01139 (JKF)
Debtors.	)	
_____	)	Re: Docket No. 23259

**ANDERSON MEMORIAL HOSPITAL'S RESPONSE TO DEBTORS'  
MOTION IN LIMINE TO PRECLUDE THE TESTIMONY OF WILLIAM M. EWING**

Anderson Memorial Hospital ("Anderson") hereby responds to the Debtors' Motion in Limine to Preclude the Testimony of Anderson Memorial's Witness William M. Ewing as follows:

Anderson retained the services of William M. Ewing in anticipation that the Plan Proponents would attempt to quantify their traditional property damage liability for feasibility purposes. Despite diligent efforts, including depositions of all the Plan Proponents' feasibility witnesses, no one has provided this evidence to date.<sup>1</sup> Obviously, Anderson cannot provide an expert report in response to non-existent evidence. If the Plan Proponents do not present such evidence, Anderson will not call Mr. Ewing as a witness.

DATED: October 2, 2009

  
\_\_\_\_\_  
Christopher D. Loizides (No. 3968)  
LOIZIDES, P.A.  
1225 King Street, Suite 800  
Wilmington, DE 19801  
Telephone: (302) 654-0248  
Facsimile: (302) 654-0728  
E-mail: [loizides@loizides.com](mailto:loizides@loizides.com)

<sup>1</sup> Anderson's discovery efforts are set forth in its Reply to Debtors' Opposition to Anderson's Motion to Compel (DI 23371).

Daniel A. Speights (SC Fed. ID No. 4252)  
C. Alan Runyan (SC Fed ID No.3683)  
SPEIGHTS & RUNYAN  
200 Jackson Avenue, East  
Post Office Box 685  
Hampton, SC 29924  
Telephone: (803) 943-4444  
Facsimile: (803) 943-4599

- and -

John W. Kozyak  
David L. Rosendorf  
KOZYAK TROPIN & THROCKMORTON PA  
2525 Ponce de Leon, 9<sup>th</sup> Floor  
Coral Gables, FL 33134  
Telephone: (305) 372-1800  
Facsimile: (305) 372-3508

*Counsel for Anderson Memorial Hospital*